

Agricultural Marketing Service, USDA

§ 1036.71

producer milk received from the producer; and

(c) The butterfat price computed pursuant to § 1036.50(d) multiplied by the total butterfat contained in the producer milk received from the producer.

[58 FR 43512, Aug. 17, 1993]

§ 1036.66 Computation of somatic cell adjustment.

(a) For each producer, an adjustment to the producer protein price for the somatic cell count of the producer's milk shall be determined by multiplying the constant associated with the appropriate somatic cell count interval in the table in paragraph (b) of this section by the average price for the month of 40-pound blocks of cheese at the National Cheese Exchange at Green Bay, WI, as reported monthly by the Dairy Division, Agricultural Marketing Service. If a handler has not determined a monthly average somatic cell count, it will be determined by the market administrator.

(b) The following table shows the factors and constants to be used in computing the somatic cell adjustment:

| Somatic cell counts | Factors | Constants for computing the somatic cell adjustment |
|--------------------------|---------|---|
| 1 to 50,000 | .300 | .09375 |
| 51,000 to 100,000 | .200 | .062500 |
| 101,000 to 150,000 | .150 | .046875 |
| 151,000 to 200,000 | .100 | .031250 |
| 201,000 to 250,000 | .050 | .015625 |
| 251,000 to 300,000 | .025 | .0078125 |
| 301,000 to 350,000 | .000 | .000000 |
| 351,000 to 400,000 | .000 | .000000 |
| 401,000 to 450,000 | -.025 | -.0078125 |
| 451,000 to 500,000 | -.050 | -.015625 |
| 501,000 to 550,000 | -.075 | -.0234375 |
| 551,000 to 600,000 | -.100 | -.031250 |
| 601,000 to 650,000 | -.125 | -.0390625 |
| 651,000 to 700,000 | -.150 | -.046875 |
| 701,000 to 750,000 | -.200 | -.062500 |
| 751,000 and above | -.250 | -.078125 |

[58 FR 43512, Aug. 17, 1993]

PAYMENTS FOR MILK

§ 1036.70 Producer-settlement fund.

(a) The market administrator shall establish and maintain a separate fund known as the "Producer-settlement fund", into which he shall deposit the payments made by handlers pursuant to §§ 1036.71, 1036.76 and 1036.77 and from

which he shall make all payments pursuant to §§ 1036.72, 1036.73 and 1036.77.

[45 FR 36356, May 30, 1980, as amended at 49 FR 14298, Apr. 11, 1984]

§ 1036.71 Payments to the market administrator.

(a) Subject to paragraph (d) of this section, each handler operating a pool plant shall pay to the market administrator on or before the day prior to the last day of each month an amount determined by multiplying the Class III price for the preceding month (adjusted by the butterfat differential, if the handler so elects) by the following receipts during the first 15 days of such month:

(1) Producer milk from producers whose payments are authorized to be collected by a cooperative association;

(2) Bulk fluid milk products by transfer or diversion from a pool plant operated by a cooperative association; and

(3) Milk from a cooperative association in its capacity as a handler pursuant to § 1036.9(c) that also operates a pool plant.

(b) Subject to paragraph (d) of this section, each handler shall pay to the market administrator on or before the 17th day after the end of each month the value of such handler's milk pursuant to § 1036.60(a) through (l), less:

(1) The amount obtained from multiplying the weighted average differential price applicable at the location of the plants from which the other source milk is received (not to be less than zero) by the hundredweight of other source milk for which a value is computed pursuant to § 1036.60(g);

(2) Payments to be made pursuant to § 1036.73(a) and (c) for producer milk received during such month; and

(3) The value at the weighted average price applicable at the location of the plants from which received with respect to other source milk for which a value is computed pursuant to § 1036.60(e).

(c) Subject to paragraph (d) of this section, each handler operating a pool plant who receives bulk fluid milk products by transfer or diversion from a pool plant operated by a cooperative association, or who receives milk from a cooperative association in its capacity as a handler pursuant to § 1036.9(c)